

FD  
Order Number: 04-12-327

**UNITED STATES DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
PAYETTE NATIONAL FOREST  
NEW MEADOWS RANGER DISTRICT**

***ROAD & OCCUPANCY CLOSURE***

**PROHIBITIONS:**

Pursuant to Title 36 CFR 261.50(a) and (b) the following acts are prohibited on the National Forest Systems roads and areas described in this order, all within the New Meadows Ranger District, Payette National Forest until further notice

1. Using any type of motorized vehicle on the road. **36 CFR 261.54(a)**
2. Camping in violation of posted instructions. **36 CFR 261.58(e)**

**EXEMPTIONS:**

Pursuant to 36 CFR 261.50(e) the following persons are exempt from this order:

1. Persons with a permit specifically exempting them from the effect of this Order.
2. Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.
3. Federal or State administrative personnel in the performance of an official duty.

**ROADS and AREAS DESCRIBED:**

National Forest System Roads #50076 and #51469, both located southeast of the Lost Valley Reservoir within Township 19 North, Range 1 West, Section 27, Boise Meridian, Adams County, Idaho, within the New Meadows Ranger District, Payette National Forest.

Specific areas of identified Northern Idaho Ground Squirrel habitat may be closed to camping and will be posted on site to advise the public of that restriction. Areas that have been identified include National Forest System lands adjacent to the Lost Valley Reservoir on the east side within Township 19 North, Range 1 West, Sections 8, 17, 21, 22, and 27, and the west side of Lost Valley Reservoir in Township 19 North, Range 1 West, Section 20, Boise Meridian, Adams County, Idaho, within the New Meadows



Ranger District, Payette National Forest. See attached map for specific areas that will be posted closed to camping.

**PURPOSE:**

The road and adjacent areas have been identified as Northern Idaho Ground Squirrel habitat. The U.S. Fish and Wildlife Service under the Endangered Species Act of 1973 list the Northern Idaho Ground Squirrel as a threatened species. It is necessary to close the roads, as described, to provide protection to the Northern Idaho Ground Squirrel and it's habitat. Areas of National Forest System lands identified as Northern Idaho Ground Squirrel habitat are closed to off road motorized vehicle use as identified in the existing Payette National Forest 1995 Forest Visitor/Travel Map and annual errata publication per Forest Supervisor Order. It is necessary to restrict camping in some of those areas for protection of the species and it's habitat.

**IMPLEMENTATION:**

1. This Special Order will be in effect when signed.
2. A map identifying the above described roads is attached to and made part of this Order
3. Any violation of this prohibition is punishable by a fine of not more than \$5,000.00 for an individual or \$10,000.00 for an organization, and/or imprisonment for not more than six (6) months. [Title 16 USC 551, Title 18 USC 3571(b)(6), Title 18 USC 3581 (b)(7)].
4. This Order supersedes any previous orders prohibiting the same acts covered by this Order on the above described roads and areas.

Done at McCall, Idaho this 17 day of July, 2003.

Mark J. Madrid  
MARK J. MADRID  
Forest Supervisor  
Payette National Forest

**Order Number: 04-12-327**



## **Assessment of Need and Enforcement Plan**

### **Lost Valley Northern Idaho Ground Squirrel Special Order New Meadows Ranger District Payette National Forest Order #04-12-327**

**1. Background:** The U.S. Fish and Wildlife listed the northern Idaho ground squirrel as threatened under the Endangered Species Act on April 5, 2000. The northern Idaho ground squirrel habitat corridor containing these squirrels on the southeast end of the Lost Valley area is closed to motorized traffic as shown on the Payette National Forest "Backroads" publication, 2003 edition (in conjunction with the 1995 Forest Visitor/Travel Map). The area has been closed to off-road motorized use since 2000 and is signed as closed. This closed area is bisected by two system roads (Forest development roads #50076 and #51469). These roads are not the primary access to the private lands in the area. From past experience, it is determined that to maintain northern Idaho ground squirrel habitat and to prevent a "take" situation under the Endangered Species Act of 1973, as amended, restrictions on these motorized travel routes must be implemented. In addition, there may be a need to post certain areas on NFS lands as closed to camping that may also pose a threat to the squirrel, its habitat and/or for resource protection. On May 18, 2003, the Forest Supervisor for the Payette National Forest held an informational meeting with a member of his staff and participants from the New Meadows Ranger District. There was consensus among the group of the need to establish a Forest Supervisor Special Order. These restrictions to motorized vehicles will be in place until the squirrel is delisted through recovery efforts or extinction occurs.

**2. Intent of Subpart B order:** Forest Development Roads #50076 and #51469 are not the primary access to private lands in the Lost Valley Reservoir area. From past public use of motorized use off and on the existing roads in occupied and unoccupied northern Idaho ground squirrel habitat, it is determined that these two roads identified must be closed. Closure would provide for the safety of the northern Idaho ground squirrel listed as threatened by the US Fish and Wildlife Service. As stated in the Endangered Species Act of 1973 as amended, Section 7. (a) Federal Agency Actions and Consultations. – (2) Each Federal agency shall .... insure that any action authorized .... is not likely to jeopardize the continued existence of any.... threatened species or result in the destruction or adverse modification of habitat of such species. The Act also defines "take" as *means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct.* To prevent a "take" situation these closure restrictions must be implemented. In addition, there may be a need to post certain areas on public lands as closed to camping that may also pose a threat to the squirrel, its habitat and/or for resource protection.



**3. Enforcement Plan:** A cooperative effort will be accomplished by personnel from Forest Service LE&I and FPO's, Adams County Sheriff's Deputies, and Idaho Department of Fish & Game Conservation Officers. Forest staff will be responsible for the posting and maintenance of signs advising the public of the closed roads to meet the requirements of field posting of the prohibition per 36 CFR 261.51. Forest Service personnel will make patrols and public contacts to gain voluntary compliance. A violation notice would normally be issued to the vehicle operator for being on a closed road or area.

| <u>Action</u>   | <u>Responsible Official</u>   | <u>Date</u>                                  |
|---|---|--|
| Prepare proposed order  | Kimberly Brandel<br>New Meadows Ranger<br>Robert Bryant, LEO<br>Steve Lipus, LE&I | 06/26/03                                     |
| Review proposed order   | Kimberly Brandel<br>New Meadows Ranger<br>Steve Lipus, SLEO<br>R4 LE&I<br>OGC     | 06/26/03<br>07/03/03<br>07/03/03<br>07/11/03 |
| Approve proposed order  | Mark Madrid<br>Forest Supervisor  | 07/14/03                                     |
| Post order in accordance with<br>36 CFR 261.51.   | District Staff/LEO  | 07/14/03                                     |
| Prepare news release for local<br>media describing the order and<br>management objectives | District & PAO  | 07/14/03                                     |
| Implementation: Patrol<br>area per Item #3 above.   | District FPO's/LEO's<br>Idaho F&G, Adams County<br>Sheriff                        | 07/14/03                                     |

Assessment and Enforcement Plan approved for implementation:

Mark J. Madrid

MARK J. MADRID  
Forest Supervisor  
Payette National Forest

7/17/03

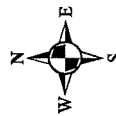
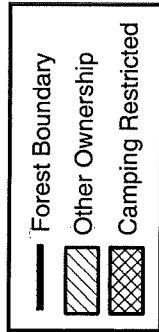
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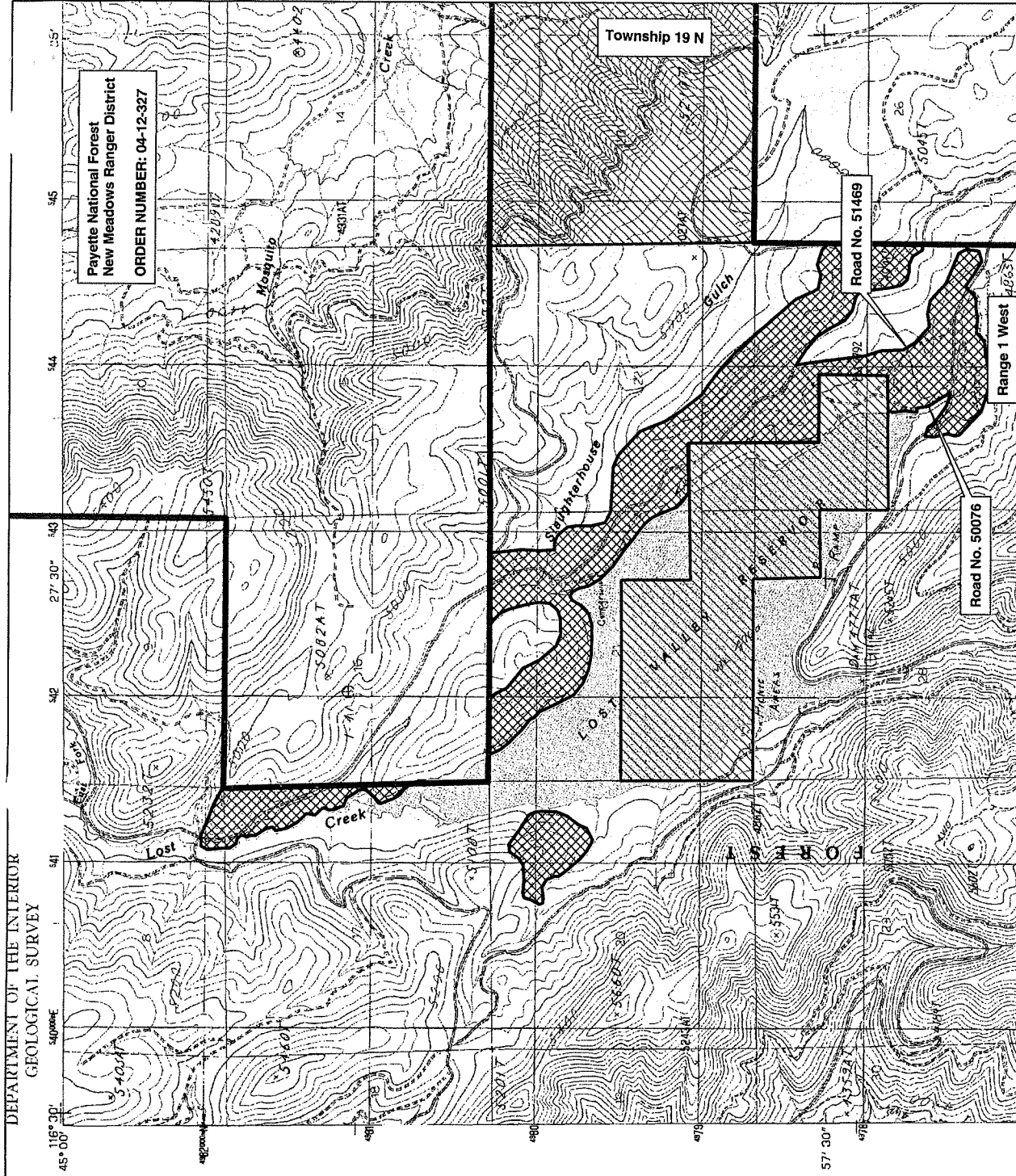
# Northern Idaho Ground Squirrel Habitat

## Lost Valley Area



1:24,000

DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY



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